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*Attorneys for Plaintiffs, Michael P. Koby,  
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Donald Nappi*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

MICHAEL P. KOBY, an individual;  
MICHAEL SIMMONS, an individual;  
JONATHAN W. SUPLER, an  
individual; DONALD NAPPI, an  
individual; on behalf of themselves and  
all others similarly situated,

Plaintiffs,

vs.

ARS NATIONAL SERVICES, INC., a  
California Corporation; and JOHN AND  
JANE DOES 1 through 25 inclusive,

Defendants.

CASE NO.: 3:09-cv-00780-KSC

**STIPULATION OF DISMISSAL**

Plaintiffs, Michael P. Koby, Michael Simmons, Jonathan W. Supler, and  
Donald Nappi, and Defendant, ARS National Services, Inc. stipulate that the claims  
of the Plaintiffs be and hereby are dismissed with prejudice and the claims of the

1 members of the putative class are dismissed without prejudice.

3 **SCHROTH SCHROTH & MADIGAN**

4 --and--

5 **STERN•THOMASSON LLP**

6 Attorneys for Plaintiffs, Michael P. Koby,  
7 Michael Simmons, Jonathan W. Supler, and  
8 Donald Nappi

8 Dated: July 30, 2018

By: s/ Philip D. Stern

Philip D. Stern

10 **GORDON REES SCULLY MANSUKHANI LLP**

11 Attorneys for Defendant, ARS National  
12 Services, Inc.

13 Dated: August 1, 2018

By: s/ Sean P. Flynn

Sean P. Flynn

17 **CERTIFICATE OF SERVICE**

18 I, Philip D. Stern, hereby affirm under the penalties of perjury that on August  
19 8, 2018, I served the within documents and all supporting papers on the Clerk of  
20 this Court using this Court's CM/ECF system. I also certify that the forgoing  
21 documents are being served this day on all counsel of record and Parties to this  
22 action in the manner specified, either via transmission of Notice of Electronic  
23 Filing generated by CM/ECF or in some other authorized manner for those counsel  
or parties who have not yet appeared or are otherwise not authorized to receive  
electronic Notices of Electronic Filing.

24 s/ Philip D. Stern

Philip D. Stern